

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/30/2020

- - - - - x
UNITED STATES OF AMERICA :
: **TEMPORARY**
: **RELEASE ORDER**
- v. - :
ISAIAH MOSS, a/k/a "Zaya", :
: 19 Cr. 166 (VEC)
:
: Defendant. :
: x

Upon the application of the Esere J. Onaodowan, Esq., attorney for Isaiah Moss, a/k/a "Zaya," for temporary release during the current COVID-19 pandemic, made with the Government's consent, IT IS HEREBY ORDERED:

1. The Court's decision in this case is based on the unique confluence of serious health issues facing this defendant, in particular [REDACTED], which place him at a substantially heightened risk of dangerous complications should he contract COVID-19 as compared to most other individuals. Accordingly, this Order should not be construed as a determination by this Court that pretrial detention is unsafe or otherwise inappropriate as a general matter or in any other specific case.

2. Pursuant to 18 U.S.C. § 3142(i), the Court concludes that compelling reasons exist for temporary release of the defendant from custody during the current public health crisis. Accordingly, the defendant's application is GRANTED pursuant to the following conditions:

a. A personal recognizance bond in the amount of \$75,000, to be signed by the defendant and co-signed by two financially responsible persons, as approved by the United States Attorney's Office.

b. All mandatory conditions of release including this Court's standard "Order Setting Conditions of Release" form;

c. Home incarceration at the defendant's uncle's residence in Queens, New York, with monitoring by means chosen at the discretion of Pretrial Services. The defendant shall be on a 24-hour lockdown in the residence except for emergency medical visits and court proceedings. Any other leave from the residence must be approved by either the Pretrial Services officer or by the Court on application from defense counsel.

d. Third-party custodianship by the defendant's uncle, Timothy Harrison, who shall be responsible to this Court for ensuring the defendant's compliance with these conditions of release;

e. For fourteen days after the defendant's release, the defendant's uncle, Timothy Harrison, together with the defendant, must have daily contact with the Pretrial Services Officer through videoconferencing technology;

f. No visitors to the residence except for family members and defense counsel.

g. Pretrial services supervision as direction by the Pretrial Services Office;

h. Surrender all passports and other travel documents and make no applications for new or replacement documents;

i. The defendant shall have no access to the internet or any internet-enabled electronic device. The Pretrial Services Office shall work with the defendant's uncle to password protect all internet-enabled devices in the home, and the defendant's uncle shall not provide the password to the defendant.

j. The defendant shall have no contact with any co-defendants, witnesses, victims or members of the Jack Boyz as known to the defendant.

k. Drug testing as directed by the Pretrial Services Office;

l. The defendant shall not possess a firearm, destructive device, or other weapon;

m. The defendant shall not use or possess any narcotic drug or controlled substance unless prescribed by a licensed medical practitioner;

n. The defendant shall be released upon his personal signature, or, alternatively, upon his attorney signing for him if his attorney certifies in writing to this Court that (i) the defendant has authorized his attorney to sign on his behalf, (ii) his attorney has explained the conditions of temporary release to

the defendant, and (iii) the defendant has represented to his attorney that he fully understands and intends to comply with those conditions. All other conditions shall be satisfied within one week of the date of this Order. The Pretrial Services Office shall conduct a home visit as soon as practicable to install the monitoring technology that it selects and to establish all remaining safeguards.

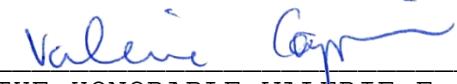
3. The Pretrial Services Office is directed to immediately alert the Court, the Government and defense counsel of any violation of the above conditions, without need for a formal violation petition. The defendant is hereby notified that violating the conditions of release will likely result in revocation of this temporary release.

4. Defense counsel is directed to submit a status update letter to the Court once a week, informing the Court as to the defendant's status, health, and compliance with the conditions of release.

5. This Order is subject to modification or revocation by the Court at any time. The Court intends to terminate the defendant's temporary release and return the defendant to pretrial detention as soon as the Court concludes that the defendant no longer faces the acute health risk posed by the current circumstances.

SO ORDERED.

Dated: New York, New York
March 30, 2020


THE HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK